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Attorneys for Defendant and Counterclaimant
UNITED NATIONAL INSURANCE COMPANY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO/OAKLAND DIVISION

INTERSTATE FIRE & CASUALTY
COMPANY,

Plaintiff,

v.

UNITED NATIONAL INSURANCE
COMPANY and DOES 1 through 10.

Defendants

UNITED NATIONAL INSURANCE
COMPANY,

Cross-complainant,

v.

INTERSTATE FIRE & CASUALTY
COMPANY and Roes 1 through 10,

Cross-defendants.

Action No.: C 07-04943 MHP

[PROPOSED] ORDER GRANTING UNITED
NATIONAL'S MOTION FOR LEAVE TO
AMEND COUNTERCLAIM.

Date: August 18, 2008

Time: 2:00 p.m.

Courtroom 15

HONORABLE MARILYN HALL PATEL

1 The motion of defendant and counterclaimant United National Insurance Company
2 for leave under Fed.R.Civ.P., Rule 15(a)(2), to amend its counterclaim came on regularly
3 for hearing on August 18, 2008, at 2:00 p.m. United National appeared through counsel
4 Thomas H. Nienow of Nielsen, Haley & Abbott LLP, and plaintiff and counterdefendant
5 Interstate Fire & Casualty Company appeared through counsel Christopher J. Borders of
6 Hinshaw & Culbertson LLP. The Court, having read and considered the moving and
7 opposing papers and oral argument of counsel, and good cause appearing, hereby grants
8 United National's motion and orders that the proposed Amended Answer and
9 Counterclaim of United National Insurance Company dated June 5, 2008, attached as
10 Exhibit 7 to the Nienow Declaration, is deemed filed, [that Interstate's answer to United
11 National's original counterclaim shall be deemed its answer to the amended counterclaim,
12 and that Interstate is deemed to have denied the allegations in paragraphs 8 through 11 of
13 United National's amended counterclaim.]

14
15
16 Dated: _____

Marilyn Hall Patel
UNITED STATES DISTRICT JUDGE

Interstate Fire & Casualty Company v. United National Ins. Co.

United State District Court, Northern District Court No.: C 07-04943 MHP

PROOF OF SERVICE

I declare that:

I am a citizen of the United States, employed in the County of San Francisco. I am over the age of eighteen years, and not a party to the within cause. My business address is 44 Montgomery Street, Suite 750, San Francisco, California 94104. On the date set forth below I served the following document(s) described as:

[PROPOSED] ORDER GRANTING UNITED NATIONAL'S MOTION FOR LEAVE TO AMEND COUNTERCLAIM

☐ (BY FACSIMILE) by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below, or as stated on the attached service list, on this date.

☐ (BY MAIL) I caused such envelope(s) with postage thereon fully prepaid to be placed in the United States mail at San Francisco, California.

☐ (BY PERSONAL SERVICE) I caused such envelope(s) to be delivered by hand this date to the offices of the addressee(s).


☐ (BY OVERNIGHT DELIVERY) I caused such envelope(s) to be delivered to an overnight delivery carrier with delivery fees provided for, addressed to the person(s) on whom it is to be served.

☒ (BY ELECTRONIC SERVICE) by submitting an electronic version of the document(s) to be served on all parties listed on the service list on file with the court as of this date.

Attorney for Plaintiff, Fireman's Fund Ins. Co.

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I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on June 20, 2008, at San Francisco, California.



Fatima Puente